

### III. REMARKS

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 has been amended to recite "...a receiving means...". The claim now satisfies the holding in the cited Ex parte Klumb, 156 USPQ 694, which expressly approved "printing means" (see p.695) since this specifies a function to be performed. Here "receiving" clearly specifies a function to be performed, and hence claim 4 is now definite.

Thus the rejection of claim 4 should be withdrawn.

Claims 1-3 and 6-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Goetz.

Claims 1 and 6 have been amended to recite that the reminder comprises:

a means for monitoring physical condition of the user;

a means for monitoring physical activity of the user;

a means for monitoring location of the user, and;

a means for monitoring task activity of the user

Goetz discloses a reminder for medication management. The apparatus of Goetz comprises a timer which gives an indication when it is time to take a certain medicine. The apparatus can give indications for eight different medicines at different times. Also a medical history of the person is stored in the apparatus. It also discloses a contradiction table which is used

to prevent taking certain medicines at the same time. The apparatus does not include reminders of other types.

Goetz provides an alert on one special reason (location, health, etc.). However, a reminder comprising all of the monitoring means (physical condition, physical activity, user location and task activity) as recited in claims 1 and 6 is not disclosed in Goetz.

Thus the rejection of claims 1-3 and 6-11 under 35 U.S.C. 102 on Goetz should be withdrawn. Further, since the specified monitoring conditions are not suggested by Goetz, these claims are unobvious over it.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goetz in view of Hunzinger.

Since Hunzinger also fails to disclose or suggest the above features, combining it with Goetz does not result in the present invention.

Thus the rejection of claims 4 and 5 should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.



Respectfully submitted,

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